

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

L. TUCKER,

Plaintiff,

v.

KANDULSKI, ET AL.,

Defendant.

Case No. 15-cv-11117

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE
PATRICIA T. MORRIS

**ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION [15],
DENYING PLAINTIFF’S MOTIONS [6, 11], REVOKING PLAINTIFF’S *IN FORMA PAUPERIS*
STATUS [7], AND DISMISSING PLAINTIFF’S COMPLAINT WITHOUT PREJUDICE**

On August 11, 2015, Magistrate Judge Patricia Morris issued a Report and Recommendation [15] to deny Plaintiff’s motions [6, 11], revoke Plaintiff’s *in forma pauperis* status [7], and dismiss Plaintiff’s complaint [1] without prejudice. Magistrate Judge Morris made this recommendation after she concluded that the “Three Strikes” provision of 28 U.S.C. § 1915(g) bars Plaintiff’s action and determined that Plaintiff did not qualify under the “imminent danger of serious physical injury” exemption to the aforementioned provision. No objections have been filed, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the Magistrate Judge’s Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion.

Therefore, the Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Morris’ August 11, 2015 Report and Recommendation [15] as this Court’s findings of fact and conclusions of

law. Plaintiff's Motions [6, 11] are **HEREBY DENIED AS MOOT**. The claims against Defendants Kandulski et al. are **HEREBY DISMISSED**.

IT IS SO ORDERED.

Dated: September 8, 2015

/s/Gershwin A Drain
HON. GERSHWIN A. DRAIN
United States District Court Judge